

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In the Matter of:** : **MISCELLANEOUS CASE**  
: :  
**SEIZURE OF NINE THOUSAND** : **No. 23-MC-93**  
**NINE HUNDRED SEVENTY DOLLARS** :  
**IN UNITED STATES CURRENCY** :  
**(\$9,970.00), AND TWENTY-THREE** :  
**THOUSAND TWO HUNDRED** :  
**FORTY DOLLARS IN** :  
**UNITED STATES CURRENCY** :  
**(\$23,240.00).** :

**ORDER GRANTING EXTENSION OF TIME**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, upon consideration of the government's motion pursuant to 18 U.S.C. § 983(a)(3) to extend for 90 days the period of time to obtain an indictment or file a complaint seeking forfeiture of the above-listed property, and, for the reasons set forth in the motion, the Court finds that, for good cause shown, the motion is GRANTED. The time period within which the government must obtain an indictment or file a complaint in this matter is extended to August 21, 2023.

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J.

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**MOTION OF UNITED STATES OF AMERICA  
FOR EXTENSION OF TIME TO OBTAIN INDICTMENT  
OR FILE CIVIL FORFEITURE COMPLAINT**

Pursuant to 18 U.S.C. § 983(a)(3), the United States of America, by its attorneys, Jacqueline C. Romero, United States Attorney for the Eastern District of Pennsylvania, and Sarah L. Grieb, Assistant United States Attorney, Chief, Asset Recovery and Financial Litigation, respectfully moves for entry of an order to extend for 90 days the period of time to obtain an indictment or file a complaint seeking forfeiture of the above-listed property. In support of this motion, the government avers as follows:

1. On October 27, 2020, at the Philadelphia International Airport, Drug Enforcement Administration (“DEA”) agents and task force officers (“TFOs”) encountered an individual, later identified as Jamal Ware (“Claimant”), before he boarded an American Airlines flight to Los Angeles, California. As a result of the encounter, pursuant to a consensual search of Claimant’s backpack, agents recovered a

large amount of United States currency that was located inside of the backpack, later determined to be \$9,970.00 (“Seized Currency”). Agents then conducted a consensual search of the Claimant’s duffel bag and observed additional United States currency, later determined to be \$23,240.00 (“Additional Seized Currency”).

2. During the encounter, agents also summoned a police canine to perform a scan of the Claimant’s backpack and duffel bag that were in Claimant’s possession at that time. The police canine alerted to the odor of illegal narcotics on both the backpack and duffel bag. Agents seized the two bags and their contents for the purpose of securing them. Agents also seized the Seized Currency and Additional Seized Currency for forfeiture as property involved in violation of the federal drug laws.

3. As required by law, on or about January 19, 2023, the DEA provided direct, written notice to Jamal Ware of its intent to administratively forfeit the Seized Currency and Additional Seized Currency by delivering to him at his last known address a copy of the notice of seizure and advising him of his right to file a claim in this matter.

4. On or about February 22, 2023, Jamal Ware filed with the DEA a claim seeking to contest the forfeiture of the Seized Currency and Additional Seized Currency. To date, no other party has filed a claim with the DEA to contest the forfeiture of this currency.

5. The Civil Asset Forfeiture Reform Act, 18 U.S.C. § 983, *et seq.* provides that, within 90 days after a claim for the return of property is filed, the government must obtain an indictment listing the seized property as being subject to forfeiture and take other steps necessary to preserve the seized property, file a civil complaint for forfeiture

of the seized property, or obtain a court order extending the time period for good cause shown or upon agreement of the parties, as provided under federal law. *See* 18 U.S.C. § 983(a)(3)(A) and (B). Also, if the government does not obtain an indictment listing the seized property as being subject to forfeiture, file a civil forfeiture complaint, or obtain an extension of time, the government must release the property and not take any further civil forfeiture action against the property. *See* 18 U.S.C. § 983(a)(3)(B).

6. The government, therefore, is required to obtain an indictment listing the Seized Currency and Additional Seized Currency as being subject to forfeiture, file a civil complaint for forfeiture, or obtain an extension of time in this case, on or before May 23, 2023.

7. By this motion, the government, pursuant to 18 U.S.C. § 983(a)(3)(A), requests an extension of time of an additional 90 days from the filing deadline, to August 21, 2023, to obtain an indictment listing the Seized Currency and Additional Seized Currency as being subject to forfeiture or file a civil complaint for forfeiture in this matter.

8. The government submits that good cause exists to grant relief in this instance. The government requires this additional time to complete its investigation in this matter. The government is continuing to review evidence regarding the Seized Currency and Additional Seized Currency. In addition, the government has provided the Claimant an opportunity to produce records in support of his claim, which the Claimant has not yet provided. The requested extension of time also will enable the government to identify any legal and factual issues involving the seizure and forfeiture of the Seized

Currency and Additional Seized Currency and to fully consider the claim for the return of the Seized Currency and Additional Seized Currency.

9. The requested extension of time of 90 days is reasonable and necessary in this instance. This additional time will enable the government, among other things, to locate, obtain, and review records and other evidence to meet its burden to show that the property is subject to forfeiture. *See* 18 U.S.C. § 983(c)(1) (burden of proof on government in a civil forfeiture action to prove by preponderance of evidence that the property is subject to forfeiture); *United States v. Leahy*, 438 F.3d 328, 331-33 (3d Cir. 2006) (amount subject to criminal forfeiture need not be admitted or proved to a jury beyond a reasonable doubt). This will enable the government to conduct a thorough investigation regarding the merits of the claim filed by the Claimant, identify possible defenses to the forfeiture of the property, and determine whether to proceed with further judicial action to forfeit the property.

10. This is the government's first request for extension of time in this matter. Furthermore, the government submits that the requested extension of time is made in good faith and is not intended to unduly delay these proceedings, and this request will not unduly prejudice the Claimant.

WHEREFORE, based on the foregoing, the government requests that this Court grant the motion.

Respectfully submitted,

JACQUELINE C. ROMERO  
United States Attorney

/s Sarah L. Grieb  
SARAH L. GRIEB  
Assistant United States Attorney  
Chief, Asset Recovery and Financial Litigation

Date: May 16, 2023

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that a true and correct copy of the MOTION OF UNITED STATES OF AMERICA FOR EXTENSION OF TIME TO OBTAIN INDICTMENT OR FILE FORFEITURE COMPLAINT was served on the following by first-class mail, postage prepaid, as follows:

**Jamal Ware, pro se**  
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/s/ Sarah L. Grieb  
SARAH L. GRIEB  
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Chief, Asset Recovery and Financial Litigation

Date: May 16, 2023